

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Manuel Maurice Robinson, Jr.

Docket No. 7:10-CR-12-1FL

Petition for Action on Supervised Release

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Manuel Maurice Robinson, Jr., who, upon an earlier plea of guilty to Distribution of 5 Grams or More of Cocaine Base (Crack), 21 U.S.C. §841(a)(1), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on July 8, 2010, to the custody of the Bureau of Prisons for a term of 42 months. On November 14, 2011, pursuant to 18 U.S.C. § 3582(c)(2) motion, sentence was reduced from 42 months to 27 months. It was further ordered that upon release from imprisonment, the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
4. The defendant shall participate in a vocational training program as directed by the probation office.
5. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.

6. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
7. The defendant shall pay a \$100.00 special assessment and \$1,800.00 in restitution.

Manuel Maurice Robinson, Jr. was released from custody on January 10, 2012, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On April 14, 2014, the releasee was charged with Assault on a Female, Case No. 14CR52658, by the Wilmington Police Department. The releasee reported the charge to his officer and gave a written statement explaining the incident. He stated his girlfriend came to see him intoxicated. She later started to leave to go to the store and he tried to stop her because she had been drinking. She resisted him, and they had an altercation in the parking lot. The police came up and subsequently charged him with Assault on a Female. Upon questioning the girlfriend a few days later, she corroborated the releasee's story and admitted she had been drinking and should not have been driving. She stated that she was going to ask that the case be dismissed in court. On September 22, 2014, the releasee pled guilty and was sentenced to 75 days custody of the Sheriff. The sentence was suspended and he was placed on 12 months unsupervised probation, ordered to pay court costs, and complete an anger management program. When I asked the releasee why he pled guilty he stated that after several continuances in court, he wanted to get the case resolved.

On May 21, 2014, the releasee was charged with No Operators License and Unsafe Movement, Case No. 14CR 3768, by the Wilmington Police Department.

On November 2, 2014, the releasee was charged with Expired Registration and Expired Tags in Case No. 14 CR711322 and No Operators License and Fail To Carry Valid License, in Case No. 14 CR711323, by the Wilmington Police Department. All cases are pending disposition in New Hanover County District Court, Wilmington, NC.

The releasee has been admonished for his irresponsible behavior and driving a vehicle without a valid license. He has been instructed to not operate a vehicle on the highway until he has paid all the tickets and his license is restored.

The releasee has been on supervised release for almost three years. He lives with his mother and shares custody of his 4 year old son. He has maintained employment as a cook at Ruth-Chris Steak House in Wilmington, since his release. Further, he enrolled in college classes at Cape Fear Community College last year and is working towards earning a Heating and AC certification. Other than the above charges, the releasee is compliant with his conditions of supervision. He has satisfied his financial obligation in full.

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To address the releasee's non-compliant behavior, it is recommended that he complete 24 hours of community service. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton
Pamela O. Thornton
Senior U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: December 4, 2014

ORDER OF COURT

Considered and ordered this 8th day of December, 2014, and ordered filed and made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge